

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**IN RE: NEW ENGLAND
COMPOUNDING PHARMACY, INC.
PRODUCTS LIABILITY LITIGATION**

MDL No.: 1:13-md-2419-FDS

This Document Relates To:

All Cases

**PLAINTIFFS' STEERING COMMITTEE'S MOTION FOR
APPROVAL OF PROPOSED MEDIATION FEE-SHARING STRUCTURE**

On August 15, 2013, this Court entered an Order on Mediation Program (the "Mediation Order"). On November 6, 2013, this Court appointed Resolutions, LLC as mediator. The Parties who will be participating in mediation have conferred and, at the request of the mediator, the Plaintiffs' Steering Committee ("PSC") has drafted a proposed "Mediation Fee-Sharing Structure," attached as Exhibit 1 hereto. The proposed fee-sharing structure has been approved by Resolutions LLC, the PSC, the Official Committee of the Unsecured Creditors, the Bankruptcy Trustee, Victory Heating & Air Conditioning Co., Victory Mechanical Services, Inc., and (with the conditions described in footnote 2 of the proposal) ARL BioPharma, Inc.¹

Wherefore, the PSC requests entry of an order approving the proposed Mediation Fee-Sharing Structure.

¹Carlos Jassir, M.D., Pain Management Center of West Orange does not consent to the fee sharing proposal.

Dated: November 22, 2013

Respectfully Submitted,

/s/ Thomas M. Sobol

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Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I, Thomas M. Sobol, hereby certify that I caused a copy of the above Plaintiffs' Steering Committee's Motion For Approval of Mediation Agreement Guidelines to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: November 22, 2013

/s/ Thomas M. Sobol
Thomas M. Sobol